APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/316,897	05/20/1999	ANAND RAMAKRISHNA	1890	8450

7590   09/22/2005

THE LAW OFFICES OF
AKBERT S MICHALIK
704 228TH AVENUE NE
SUITE 193
REDMOND, WA 98053

EXAMINER
NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _19 July 2005_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-47_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-47_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: RCE filed 07/19/2005 to the original

application filed 06/22/1999.

2.   Claims 1-47 are currently pending in this application. Claims 1, 17, and 30 have been

amended. Claims 1, 17 and 30 are independent claims.

3.   The rejection of claims 17 and 30 under 35 U.S.C. § 112, second paragraph has been

withdrawn in view of the amendment.

4.   The rejection of claims 17 and 30 under 35 U.S.C. § 112, first paragraph has been

withdrawn in view of the amendment.

Request Continuation for Examination

5.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR

1.17(e) has been timely paid, the finality of the previous Office action has been

withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/19/2005 has

been entered.

Claim Rejections - 35 USC § 101

6.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7.   Claims 1-16 are rejected under 35 U.S.C. 101 because the claimed invention, not tangibly embodied in a computer system for causing the computer to execute in a practical manner.

8.   Claims 17-29 are rejected under 35 U.S.C. 101 because the claimed invention, appearing to be comprised of software alone without claiming associated computer hardware required for execution, is not supported by either a specific and substantial asserted utility (i.e., transformation of data) or a well established utility (i.e., a practical application).

Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b),by another filed in the United States before the invention by the applicant for patent or (2)a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a)shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2)of such treaty in the English language; or " (Emphasis added.)

10.   Claims 1-8, 10-25, 27-39, and 43-47 are rejected under 35 U.S.C. 102(e) as being

anticipated by **Parthasarathy et al.** (U.S. 6,347,398, filed 10/1999, continuation of

application No. 08/764,040, filed 12/1996).

As to independent claim 17:

Parthasarathy teaches a method of providing dynamic effects to an HTML document

(provide dynamic or interactive multimedia components in HTML document; see

Abstract), comprising the steps of:

(i)   encapsulating code in an external component that may affect a behavior of one or

         more elements, including elements of different documents *(the Component Object*

         Model ... specifies how objects within a single application or between

         applications ...allows the creation of objects of different formats; col.6, lines 24-

         43);

(ii)   inserting an element into a document *(insert dynamic multimedia component ...*

         into a HTML document; col.1,line 60-col.2, line 2);

(iv)   attaching a reference in the document to associate the element with an instance of

         the external component, such that another instance of the element may be

         referenced by a different document *(see the discussion of "one or more*

         HTML<OBJECT> tags are embedded in a document" beginning at col.9, line

         63); and

(iii)   providing the document to a render *(the document in a window ... the local*

         computer's ... to the browser; col.7, lines 27-36).

As to dependent claim 18:

Parthasarathy teaches providing the external component to the renderer *(see the downloading software components discussion beginning at col.9, line 9).*

As to dependent claim 19:

Parthasarathy teaches rendering a page image from the document *(see the accessing objects discussion beginning at col.5, line 36)*, accessing the external component *(see the COM discussion beginning at col.6, line 24)*, and modifying a representation of the element based on the code in the external component *(see the adding interactive or dynamic behavior discussion beginning at col.8, line 10).*

As to dependent claim 20,

Parthasarathy teaches *(page 6, lines 24-33)* the external component is a COM object *(COM)*, and wherein accessing the external component includes calling an interface of the COM object *(a set of standard interfaces ... related functions through which a client application accesses the services).*

As to dependent claim 21:

Parthasarathy teaches the changing the appearance thereof *(see Abstract & col.2, lines 18-31).*

As to dependent claim 22:

Parthasarathy teaches the changing the location thereof *(see Abstract & col.8, lines col.2, lines 18-31).*

As to dependent claim 23:

Parthasarathy teaches rendering a page image from the document *(see the accessing objects discussion beginning at col.5, line 36)*, accessing the external component *(see the COM discussion beginning at col.6, line 24)*, and drawing information in the image based on the code in the external component *(see the adding interactive or dynamic behavior discussion beginning at col.8, line 10)*.

As to dependent claim 24:

Parthasarathy teaches rendering a page image from the document is interleaved with drawing information in the image *(col.5, lines 36-56)*.

As to dependent claim 25:

Parthasarathy teaches receiving an event indicative of user interaction with the image *(a user to initiate any dynamic multimedia interactive ... input from a keyboard; col.2, lines 5-34)*.

As to dependent claim 27:

Parthasarathy teaches the information associating the element with the external component is maintained in a custom tag *(col.15, lines 14-47)*.

As to dependent claim 28:

Parthasarathy teaches the information associating the element with the external component is maintained in a class identifier *(see the CLASSID discussion beginning at col.10, line 34)*.

As to dependent claim 29:

Parthasarathy teaches the reference associating the element with the external component is maintained inline with the element in the document *(col.7, lines 37-65)*.

As to independent claim 30:

It is directed to a computer system for performing the method of claim 17, and is

similarly rejected under the same rationale. Additionally, Parthasarathy further teaches

modifying the behavior of elements, including elements of different documents *(see the*

add interactive or dynamic behavior beginning at col.8, lines 10).

As to independent claim 1:

It is directed to a computer-readable medium for implementing the method of claim 17,

and is similarly rejected under the same rationale. Additionally, Parthasarathy further

teaches:

a.   rendering a page image corresponding to at least part of the document, the page

image including a representation of the element *(see the accessing objects*

discussion beginning at col.5, line 36); and

b.   accessing the external component for determining a behavior of the representation

of the element rendered on the page image *(see the COM and DOM discussion*

beginning at col.6, line 24).

As to dependent claim 2:

Parthasarathy teaches receiving an event, and wherein accessing the external component

is performed in response to the event *(col.6, lines 25-43).*

As to dependent claims 3-5:

They include the same limitations as in claims 21-23 above, and are similarly rejected

under the same rationale.

As to dependent claim 6:

Parthasarathy teaches the external component comprises an object *(an objects; col.5,*
lines 36-56), and wherein accessing the external component includes instantiating an
instance of the object *(col.5, lines 36-56)*.

As to dependent claim 7:

Parthasarathy teaches receiving a new document having another element thereon, the new
document including information associating the other element with the external
component *(col.9, line 63- col.10, line 67)*, rendering a new page image corresponding to
at least part of the document, the new page image including a representation of the other
element *(see the accessing objects discussion beginning at col.5, line 36)*, and accessing
the external component for determining a behavior of the representation of the other
element rendered on the page image *(see the COM and DOM discussion beginning at
col.6, line 24)*.

As to dependent claim 8:

It includes the same limitations as in claim 20 above, and is similarly rejected under the
same rationale.

As to dependent claims 9-12:

They include the same limitations as in claims 26-29 above, and are similarly rejected
under the same rationale.

As to dependent claim 13:

Parthasarathy teaches the document includes another element having a representation
thereof rendered in the page image, the document includes other information associating
the other element with the external component *(col.9, line 63- col.10, line 67)*, and further

comprising, accessing the external component for determining a behavior of the

representation of the other element *(see the COM and DOM discussion beginning at*

col.6, line 24).

As to dependent claim 14:

Parthasarathy teaches the document includes information associating the element with a

second external component *(col.9, line 63- col.10, line 67)*, and further comprising,

accessing the second external component for determining a behavior of the representation

of the element *(see the COM and DOM discussion beginning at col.6, line 24).*

As to dependent claim 15:

Parthasarathy teaches resolving a conflict between the behavior determined by the

external component and the behavior determined by the second external component

(col.8, lines 25-43).

As to dependent claim 16:

Parthasarathy teaches downloading the external component *(downloaded software*

components; col.9, lines 32-62).

As to dependent claim 31:

It includes the same limitations as in claim 25 above, and is similarly rejected under the

same rationale.

As to dependent claim 32:

Parthasarathy teaches the renderer displays a representation of the element and modifies

a behavior of the element by accessing the external component *(see the adding*

interactive or dynamic behavior discussion beginning at col.8, line 10).

As to dependent claims 33-35:

They include the same limitations as in claims 21-23 above, and are similarly rejected under the same rationale.

As to dependent claim 36:

Parthasarathy teaches the renderer calls the external component a plurality of times to draw information on the page image, and the renderer draws information on the page image between at least some of calls to the external component *(col.5, line 57-col.6, line 43).*

As to dependent claim 37:

It includes the same limitations as in claim 6 above, and is similarly rejected under the same rationale.

As to dependent claim 38:

Parthasarathy teaches the external component comprises an object *(an objects; col.5, lines 36-56),* and wherein the rendered communicates with the object *(col.5, lines 58-67).*

As to dependent claim 39:

Parthasarathy teaches the render receives a new document having another element thereon that references the external component *(col.6, lines 24-43).*

As to dependent claim 43:

It includes the same limitations as in claim 27 above, and is similarly rejected under the same rationale.

As to dependent claims 44-46:

They include the same limitations as in claims 12-14 above, and are similarly rejected

under the same rationale.

As to dependent claim 47:

Parthasarathy teaches the renderer accesses the external component to control the format

of data input by a user *(col.6, lines 24-43).*

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12.   Claims 9, 26, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Parthasarathy et al. in view of **Pacifici et al.** (U.S. 6,230,171 – filed 08/1998).

As to dependent claims 9 and 40:

a.   Parthasarathy teaches associating the element with the external component, but

does not explicitly teach "the external component is maintained in a cascading

style sheet."

b.　　　Pacifici teaches the external component is maintained in a cascading style sheet *(col.9, line 55-col.19, line 7)*.

c.　　　It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Pacifici in the system of Parthasarathy because it would have provided the capability for forcing all such environment parameters such as font sizes, font typefaces, margin widths, and any other similar parameters that may affect the appearance of the HTML document.

As to dependent claim 26:

Refer to the discussion of claim 9 above for the external component is maintained in a cascading stylesheet.

As to dependent claim 41:

a.　　　Parthasarathy does not explicitly teach "the cascading style sheet is embedded in the document."

b.　　　Pacifici teaches the cascading style sheet is embedded in the document *(e.g., dynamic HTML ... using a Cascading Style Sheet; col.9, line 47-col.10, line 7)*.

c.　　　It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Pacifici in the system of Parthasarathy because it would have provided the capability for forcing all such environment parameters such as font sizes, font typefaces, margin widths, and any other similar parameters that may affect the appearance of the HTML document.

As to dependent claim 42:

a.   Parthasarathy does not explicitly teach "the cascading style sheet is linked to the document."

b.   Pacifici teaches the cascading style sheet is linked to the document *(col.6, lines 1-29)*.

c.   It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Pacifici in the system of Parthasarathy because it would have provided the capability for forcing all such environment parameters such as font sizes, font typefaces, margin widths, and any other similar parameters that may affect the appearance of the HTML document.

Response to Arguments

13.   Applicant's arguments filed 07/19/2005 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

14.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gibson	U.S. Patent No. 5,761,684	issued: Jun. 2, 1998
Stone et al.	U.S. Patent No. 6,101,510	issued: Aug. 8, 2000
Popp et al.	U.S. Patent No. 6,249,291	issued: Jun. 19, 2001
McCauley et al.	U.S. Patent No. 6,434,578	issued: Aug. 13, 2002

Stone et al.   U.S. Patent No. 6,504,554   issued: Jan. 7, 2003

Charlie Kindel, "COM: What Makes it Work, Black-Box Encapsulation through

Multiple, Immutable Interfaces", IEEE, 1997, pp.68-77.

Wang et al., "Customization of Distributed Systems Using COM", IEEE Concurrency,

July-Sept.1998, Vol.6, pp.8-12.

Jones et al., "Scripting COM components in Haskell", IEEE, Software Reuse -

Proceedings Fifth International Conference, Jun.1998, pp.1-9.

15.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-

4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30

pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

MN

WILLIAM BASHORE
PRIMARY EXAMINER
9/18/2005